

MENAGH & FALCONE, P.C.

DONALD F. MENAGH (1915-2001)
DOUGLAS DONALD MENAGH
LUCILLE FALCONE

ATTORNEYS AT LAW
386 PARK AVENUE SOUTH
NEW YORK, N.Y. 10016
(212) 532-3850
FAX (212) 481-0972

JOSEPH S. HUBICKI†
JILL A. DANIEL*
MARIA PATELIS

†ALSO ADMITTED IN NEW JERSEY
*ALSO ADMITTED IN CONNECTICUT

December 21, 2007

Hon. William H. Pauley III, U.S.D.J.
United States Courthouse
Chambers 2210
500 Pearl Street
New York, New York 10007

Re: Hector Morales and Isabel Ortiz vs. City of N.Y., et al.,
U.S. Dist. Ct., S.D.N.Y., Docket No.: 07CV7511

Dear Judge Pauley:

The undersigned represents the Plaintiffs in the above-entitled action. Pursuant to the Court's December 3, 2007 Scheduling Order, Plaintiffs were to file and serve an amended complaint naming the "John Doe" defendants by December 14, 2007. I prepared the amended complaint and was prepared to file and to serve it with Notice of Lawsuit and Waiver of Service on December 14, 2007, but mistakenly believed that an amended complaint could be filed in the Southern District via ECF. When I learned that the Amended Complaint could not be filed via ECF, I forwarded the complaint for paper filing with the Clerk, but this could not be accomplished on December 14, 2007. When I tried to file the amended complaint the following week the papers were rejected by the Clerk because we had missed the deadline specified in the December 3 Order.

I ask, therefore, that the Court extend the time for Plaintiffs to serve and file the amended complaint to January 2, 2008. I have spoken with opposing counsel who consents to the extension.

Thank you for your attention to this matter. Please call me if there are any further instructions.

Respectfully submitted,

MENAGH & FALCONE, P.C.

By: S/ Joseph S. Hubicki
Joseph S. Hubicki (JH0598)

Cc: Maurice Hudson, Assistant Corporation Counsel

SO ORDERED: PLAINTIFFS' TIME TO FILE AND SERVE AN AMENDED COMPLAINT IS HEREBY EXTENDED TO JANUARY 2, 2008.

U.S.D.J. Dated: